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LISTING OF CLAIMS

① (Currently Amended) An *in vitro* method cell based assay for evaluating cellular responses to peroxisome proliferator activated receptor (PPAR) ligands of identifying a peroxisome proliferator activated receptor (PPAR) modulator comprising the steps of:

- (a) determining a first level mRNA transcript level of a PPAR responsive gene formed selected from the group consisting of pyruvate dehydrogenase kinase-4 (PDK-4) and adipocyte differentiation relating protein (ADRP), expressed in a cell endogenously expressing one or more PPARs;
- (b) contacting [[the]] said cell endogenously expressing the one or more PPARs with a test compound that binds known or suspected to bind to the one or more PPARs *in vitro*;
- (c) incubating said cell and said test compound;
- [[c]] d) measuring a second level mRNA transcript level of [[the]] said PPAR responsive gene formed expressed in the cell; and
- [[d]] e) comparing the first level of mRNA transcript with the second level of mRNA transcript,

wherein, a difference in the first and second levels of mRNA transcript indicates the test compound is a PPAR modulator.

② (Original) The method of claim 1, wherein the one or more PPARs is selected from the group consisting of PPAR- α , PPAR- β (δ), and PPAR- γ .

③ (Original) The method of claim 1 wherein the cell is a mammalian cell.

④ (Currently Amended) The method of claim [[3]] 1, wherein the ~~mammalian~~ cell is [[a]] the human proximal tubule derived cell [[CHK-2[D]]].

⑤ (Currently Amended) The method of claim 1, wherein the PPAR responsive gene is ~~selected from the group consisting of pyruvate dehydrogenase kinase-4 (PDK-4) and adipocyte differentiation relating protein (ADRP).~~

6-16 (Canceled)

⑦ (New) An assay for evaluating responses to PPAR ligands comprising the steps of:

- (a) determining, in a cell, a first mRNA transcript level of ADRP;

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- (c) incubating said cell and said test compound;
- (d) measuring a second mRNA transcript level of ADRP in the cell; and
- (e) comparing the first level of mRNA transcript with the second level of mRNA transcript,

wherein, a difference in the first and second levels of mRNA transcript indicates the test compound is a PPAR modulator.

(18) (New) The method of claim 1, wherein the one or more PPARs is selected from the group consisting of PPAR- α , PPAR- $\beta(\delta)$, and PPAR- γ .

(19) (New) The method of claim 17, wherein the cell is a mammalian cell.

083 → (20) (New) The method of claim 17, wherein the cell is the human proximal tubule derived cell HK-2.

(21) (New) An assay for evaluating responses to PPAR ligands comprising the steps of:

- (a) determining, in a cell, a first mRNA transcript level of a PPAR responsive gene;
- (b) contacting said cell with a single dose of a test compound that binds one or more PPARs;
- (c) incubating said cell and said test compound;
- (d) measuring a second mRNA transcript level of a PPAR responsive gene in the cell; and
- (e) comparing the first level of mRNA transcript with the second level of mRNA transcript,

wherein, a difference in the first and second levels of mRNA transcript indicates the test compound is a PPAR modulator.

(22) (New) The method of claim 21, wherein the one or more PPARs is selected from the group consisting of PPAR- α , PPAR- $\beta(\delta)$, and PPAR- γ .

(23) (New) The method of claim 21, wherein the cell is a mammalian cell.

(24) (New) The method of claim 21, wherein the cell is the human proximal tubule derived cell HK-2.